



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MA 02109-3912

September 7, 2010

Paul Simonetta, CHMM  
Senior Project Manager  
Triton Environmental, Inc.  
385 Church Street, Ste 201  
Guilford, CT 06437

**Re: International Salt Company – Charlestown, MA: Regulatory Determination Request**

Dear Mr. Simonetta,

EPA has received your letter dated July 12, 2010 and additional information provided in your email dated August 18, 2010 submitted on behalf of International Salt Company (ISCO) seeking concurrence with your determination that operations at ISCO's facility are not subject to stormwater permitting. EPA has considered your request and determined that the facility's stormwater discharges do not require coverage under a National Pollutant Discharge Elimination System (NPDES) permit.

Your letter describes ISCO's facility as a bulk salt storage operation on a leased portion of a larger property owned by the Boston Autoport who is authorized under EPA's Multi-Sector General Permit (MSGP) and maintains a Stormwater Pollution Prevention Plan (SWPPP) for the entire property. You further describe the facility as operating under Standard Industrial Classification (SIC) Code 5169; equipped to receive, store, and distribute salt and like products (de-icing salt).

40 CFR §122.26(a) describes categories of stormwater discharges that are required to obtain an NPDES permit. These include discharges from certain industrial and construction activities; municipal separate storm sewer systems; and those that EPA determines to contribute to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States. As presently understood, the stormwater discharges from the ISCO's Charlestown, MA facility are not described by any category of discharge identified at 40 CFR §122(a), and therefore ISCO is not required at this time to obtain a NPDES permit for discharge of stormwater from its facility.

As you are aware however, as operator of the overall site and lessor to ISCO, Boston Autoport LLC has obligations under its MSGP authorization (MAR05D383) with respect to salt storage piles and any stormwater run-on that commingles with stormwater discharges associated with its industrial activities. EPA encourages ISCO to work cooperatively with Boston Autoport in this regard and become a participant in the related Storm Water Pollution Prevention Plan (SWPPP) implementation for the facility.

In the future, if it is determined that an NPDES permit is needed for a discharge to waters of the United States, then an application for an individual NPDES permit must be made to EPA at least 180 days in

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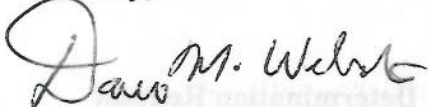
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advance of the proposed discharge(s) (40 CFR §122.21); or an notice of intent to be covered by a general permit must be made as directed (40 CFR §122.28). Any proposed new discharge that meets the definition of a new source, 40 CFR §122.2, must meet the requirements of any applicable "new source performance standards" for your facility type, promulgated under authority of 33 U.S.C. §1316, and shall meet Massachusetts Water Quality Standards. Any treatment required to be installed to meet new source performance standards, state water quality standards, or any other permit requirement would be required prior to the initiation of the proposed discharge.

Please contact David Gray at 617-918-1577 or [gray.davidj@epa.gov](mailto:gray.davidj@epa.gov) if you have any questions.

Sincerely,



David M. Webster  
Chief, Industrial Permits Branch

cc: Dennis Kraez, Boston Autoport, LLC  
Fred Civian, MassDEP-Boston

Cc: Address

Dennis Kraez, President  
Boston Autoport LLC  
100 Terminal Street  
Boston, MA 02129